

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

**RICHARD ARMSTRONG d/b/a
LEISURE HOME PRODUCTS, INC.**

PLAINTIFF

VS.

CAUSE NO.: 1:17CV175-LG-RHW

**WRIGHT NATIONAL FLOOD INSURANCE
COMPANY**

DEFENDANT

AGREED ORDER ON DEFENDANT’S MOTION TO DISMISS

THIS MATTER, having come before this Court on Defendant’s Motion to Dismiss Plaintiff’s Claims for Breach of the Duty of Good Faith and Fair Dealing, Bad Faith, Punitive Damages, Attorney’s Fees and Costs [Doc.8], and the Court, having been advised that the parties have reached an agreement regarding the Defendant’s Motion and the requested relief, does hereby find and order as follows:

1. That the Plaintiff filed his lawsuit on April 28, 2017 in the Circuit Court of Harrison County, First Judicial District. [Doc.1-2]
2. Plaintiff’s Complaint contained claims for breach of contract, breach of duty of good faith and fair dealing and punitive damages. [Doc.1-2]
3. The case was removed to this Court on June 12, 2017. [Doc.1]
4. Defendant filed its Motion to Dismiss Plaintiff’s Claims for Breach of Duty of Good Faith and Fair Dealing, Bad Faith, Punitive Damages, Attorney’s Fees and Costs on June 23, 2017. [Doc.8]
5. Plaintiff has agreed to dismiss his claims for breach of the duty of good faith and fair dealing, bad faith and punitive damages.

6. Plaintiff will proceed on his claim for breach of the Standard Flood Insurance Policy, and will seek to recover of all damages allowed by such claim.

IT IS THEREFORE ORDERED AND ADJUDGED that Plaintiff's claims for breach of implied warranty of good faith and fair dealing, bad faith and punitive damages are hereby dismissed, without prejudice.

IT IS FURTHER ORDERED AND ADJUDGED that Plaintiff will proceed on his claim for breach of the Standard Flood Insurance Policy and will seek all damages recoverable under such claim.

SO ORDERED AND ADJUDGED this the 12th day of July, 2017.

s/ *Louis Guirola, Jr.*

Louis Guirola, Jr.
Chief United States District Judge

AGREED TO BY:

/s/ William Alex Brady, II
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